

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IGT, a Nevada corporation,

Plaintiff,

v.

BALLY GAMING INTERNATIONAL,
INC., BALLY TECHNOLOGIES, INC.,
and BALLY GAMING, INC.,

Defendants.

C.A. No. 06-282 (KAJ)

JURY TRIAL DEMANDED

**IGT's REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF ITS MOTION
TO DISMISS DEFENDANTS' COUNTERCLAIM COUNTS X, XI AND XII**

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*Attorneys for Plaintiff and Counterclaim
Defendant IGT*

July 24, 2006

Pursuant to Federal Rules of Evidence 201, plaintiff IGT, by and through its attorneys, hereby requests the Court to take judicial notice of the following:

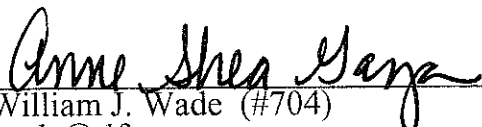
1. Judgment, dated September 29, 2004, Case No. CV-01-1109-JCM-PAL (D. Nev.). A true and correct copy of this document is attached as Exhibit A.
2. Judgment, dated July 11, 2006, Case No. 01-CV-1109 (Fed. Cir.). A true and correct copy of this document is attached as Exhibit B.

The above documents are matters of public record and are proper subject of a request for judicial notice. *LUM v. Bank of Am.*, 361 F.3d 217, 222 (3d Cir.) *cert. denied*, 543 U.S. 918 (2004) (“a prior judicial opinion constitutes a public record of which a court may take judicial notice ...on a motion to dismiss”).

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Dated: July 24, 2006


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**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2006, I caused to be served by hand delivery and electronic mail the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Jack B. Blumenfeld, Esquire
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I hereby certify that on July 24, 2006, I caused to be sent by electronic mail the foregoing document to the following non-registered participants:

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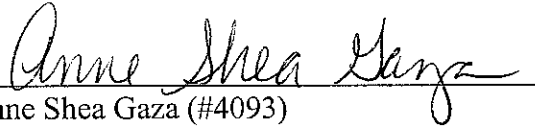
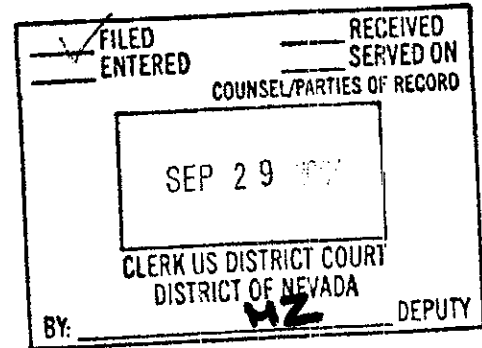
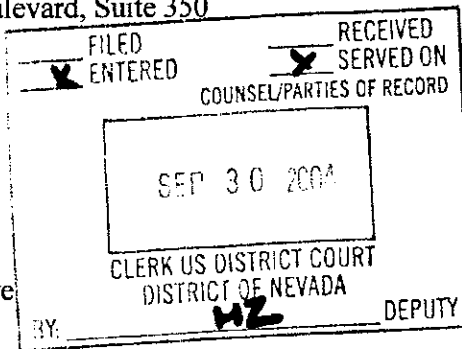

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EXHIBIT A

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**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF NEVADA**

ACTION GAMING, INC. and IGT

Plaintiffs,

v.

**ALLIANCE GAMING CORP.,
 BALLY GAMING, INC. and
 UNITED COIN MACHINE CO.**

Defendants.

Case No(s): CV-01-1109-JCM-PAL

~~PROPOSED~~ JUDGMENT

1. The jury having returned a verdict against United Coin Machine Co. ("United") and in favor of Action Gaming, Inc. and IGT (collectively "Action") and finding that United has infringed claim 3 of U.S. Patent No. 5,823,873 ("the '873 patent") and claims 1 and 3 of U.S. Patent No. 6,007,066 ("the '066 patent"), which this Court has previously found are not invalid or unenforceable;
2. The jury having returned a verdict that the method of play of the accused Multi-Play Poker game with autohold infringes claim 3 of the '873 patent and claims 1 and 3 of the '066 patent;
3. The jury having returned a verdict that Alliance Gaming Corp. ("Alliance") is liable for the infringing conduct of United; and

4. The jury having determined that Action has been damaged in the amount of \$7,361,000.00,

IT IS ORDERED that JUDGMENT is entered against Alliance and United, jointly and severally, and in favor of Action in the amount of \$ 7,361,000 for infringement of claims 1 and 3 of the '066 Patent and claim 3 of the '873 Patent.

Dated: September 29, 2004

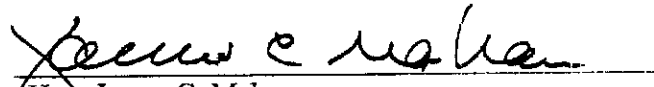

Hon. James C. Mahan
United States District Judge

EXHIBIT B

NOTE: Pursuant to Fed. Cir. R. 47.6, this disposition is not citable as precedent. It is a public record.

United States Court of Appeals for the Federal Circuit

05-1287, -1315

CLERK'S OFFICE COPY

ACTION GAMING, INC. and IGT,

Plaintiffs-Cross Appellants,

v.

ALLIANCE GAMING CORP.
and UNITED COIN MACHINE CO.,

Defendants-Appellants,

and

BALLY GAMING, INC.,

Defendant.

Judgment

ON APPEAL from the U.S. DISTRICT COURT
DISTRICT OF NEVADA

In CASE NO(S). 01-CV-1109

This CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

Per Curlam: (MAYER, LOURIE, and PROST, Circuit Judges):

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

DATED JUL 11 2006

Jan Horbaly

Jan Horbaly, Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

JUL 11 2006

JAN HORBALY
CLERK